

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

DIANE ELAINE SCOTT, personal
representative of the estate of Kyle Batt,
deceased; **DIANE ELAINE SCOTT**,
guardian ad litem for K.R.B., a minor child;
and **DIANE ELAINE SCOTT**, personally,

Plaintiffs,

v.

**UNITED STATES OF AMERICA; JOHN
DOES 1–10; and INTEGRATED
MEDICAL SOLUTIONS, LLC**, a Texas
Limited Liability Company,

Defendants.

Case No. 3:23-cv-00423-SB

**ORDER ADOPTING JUDGE
BECKERMAN’S FINDINGS AND
RECOMMENDATION**

IMMERGUT, District Judge.

No objections to Judge Beckerman’s Findings and Recommendation (“F&R”), ECF 58, have been filed. Therefore, this Court ADOPTS the F&R.

STANDARDS

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.”

28 U.S.C. § 636(b)(1)(C). If a party objects to a magistrate judge’s F&R, “the court shall make a

de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R that are not objected to. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, *sua sponte*” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

CONCLUSION

No objections have been filed to Judge Beckerman’s F&R. Accordingly, the F&R, ECF 58, is adopted in full. This Court GRANTS Defendants’ Motion to Dismiss, ECF 44.

IT IS SO ORDERED.

DATED this 18th day of December, 2023.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge